



भारत निर्वाचन आयोग  
Election Commission of India

निर्वाचन सदन  
NIRVACHAN SADAN  
अशोक रोड, नई दिल्ली - 110 001  
ASHOKA ROAD, NEW DELHI - 110 001

BEFORE THE ELECTION COMMISSION OF INDIA

order dated 30.3.12 reg.

In re: Merger of Muslim League Kerala State Committee with the Indian Union Muslim League

Order

This is a case before the Commission under paragraph 16 of the Election Symbols (Reservation and Allotment) Order, 1968, regarding merger of Muslim League Kerala State Committee ('MLKSC' for short) with Indian Union Muslim League ('IUML' for short). The MLKSC is a recognized State Party in Kerala with the symbol 'Ladder' reserved for it in the State of Kerala. The IUML is a registered un-recognized political party.

2. The MLKSC submitted an application dated 09-12-2011 before the Commission stating that the said party had merged with the IUML which is like the parent party for the MLKSC. The party submitted that the merger resolution was unanimously adopted by the State General Council of the Party on 04-09-2011 which is the representative Council of members from all units of the party. The party submitted that the decision of merger was approved after ascertaining and obtaining the concurrence of all lower units of the party and that the decision was unanimously approved at all levels. The MLKSC submitted relevant documents to substantiate their claim of unanimous decision of merger and consultation on that issue with the lower units of the party. The papers submitted were copies of resolution passed by the State General Council along with affidavits from the State Council Members, affidavits from the two MPs and 20 MLAs of the MLKSC, resolutions passed by all the District Committees in joint

meetings with all Panchayat Committees in the respective Districts- all deciding in favour of the merger.

3. In its application, the MLKSC requested that the merger be accepted on the record of the Commission, the recognition as State Party hitherto enjoyed by MLKSC in Kerala may now be granted to IUML in Kerala following the merger, and the symbol 'Ladder' which is the reserved symbol of the MLKSC in Kerala may be allotted now as the reserved symbol of IUML in Kerala.

4. On 20-12-2011, the Commission also received a letter dated 19-12-2011 from the IUML signed by Shri E Ahamed, MP, as the President of the party. In the said letter, it was stated that the National Executive Committee of the IUML, in its meeting on 26-11-2011, considered the proposal/resolution of the MLKSC regarding its merger with the IUML, and accepted the proposal of merger and passed a resolution to this effect. Copy of the resolution passed by the National Executive Committee of IUML accepting the merger was also submitted. In this letter it was requested that the merger may be accepted and the IUML granted recognition as State Party in Kerala with the reserved symbol 'Ladder'.

5. Matters relating to amalgamation of two or more political parties are governed by the provisions in paragraph 16 of the Symbols Order. The said paragraph 16 is reproduced below:

" 16. Power of the Commission in case of amalgamation of two or more political parties-

(1) When two or more political parties, one or some or all of whom is a recognized political party or are recognized political parties join together to form a new political party, the Commission may, after taking into account all the facts and circumstances of the case, hearing such representatives of the newly formed party and other



persons as desire to be heard and having regard to the provisions of this Order, decide-

- (a) Whether such newly formed party should be a National party or a State Party, and
- (b) The symbol to be allotted to it.

(2) The decision of the Commission under sub-paragraph(1) shall be binding on the newly formed political party and all the component units thereof."

6. In accordance with the above provisions, the Commission asked the MLKSC and the IUML to intimate whether they wanted to have personal hearing in the matter. Both MLKSC and IUML in separate letters ( letter dated 25-02-12 by the IUML and letter dated 27-02-12 by the MLKSC) intimated that the decision of merger being unanimous and since all relevant documents have been placed before the Commission, they did not wish to have personal hearing.

7. The Commission has considered the applications and all supporting documents submitted by the two parties. From the documents brought on record, it is clear that the decision of merger of MLKSC with the IUML has the approval of all sections of the parties. There were some communications received from two individuals, viz. Sh. Dawood Miakhan and Prof. Basir Ahmed Khan opposing the merger. It was, however, seen that neither of them were members of the above party and thus had no locus standi to raise matters relating to the IUML. They have already been informed accordingly.

8. In view of the foregoing, the Commission is satisfied that the Muslim League Kerala State Committee has merged with Indian Union Muslim League. The Commission hereby accordingly decides:-

- 345
- (i) The Muslim League Kerala State Committee has merged with Indian Union Muslim League. On such merger, the Muslim League Kerala State Committee has ceased to exist as a separate party. Its name shall, accordingly, be deleted from the list of political parties.
- (ii) The unified party after the merger, i.e. Indian Union Muslim League will carry the benefit of recognition and reserved symbol enjoyed by the erstwhile Muslim League Kerala State Committee in the State of Kerala. Accordingly, the Indian Union Muslim League shall henceforth be a recognized State Party in the State of Kerala, and the symbol 'Ladder' shall be reserved for it in Kerala.

Ordered accordingly.



(H.S. BRAHMA)  
ELECTION COMMISSIONER



(S.Y. QURAIHI)  
CHIEF ELECTION COMMISSIONER



V. S. Sampath  
(V.S. SAMPATH)  
ELECTION COMMISSIONER

New Delhi.

Dated: 3<sup>rd</sup> March, 2012.